

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JASON SIGERS,

Plaintiff,

v.

Case No. 08-13298
Honorable Patrick J. Duggan

JAMES BAILEY, et al.,

Defendants.

/

**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S
MOTION TO COMPEL**

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on September 1, 2009.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Presently before the Court in this *pro se* civil rights action is Plaintiff's motion to compel, filed August 4, 2009. Plaintiff seeks an order compelling Defendants to answer discovery requests Plaintiff previously served on them and which Magistrate Judge Michael Hluchaniuk ordered Defendants to answer in a June 4, 2009 opinion and order. In that opinion and order, Magistrate Judge Hluchaniuk ordered Defendants to answer Plaintiff's discovery requests within 30 days. Plaintiff further contends that Defendants have waived any objections to his discovery requests due to their failure to answer within thirty days of Magistrate Judge Hluchaniuk's order. Defendants, however, appealed Magistrate Judge Hluchaniuk's decision.

On September 1, 2009, this Court issued an opinion and order finding *inter alia* Defendant James Bailey's objections to Magistrate Judge Hluchaniuk's opinion and order moot. Defendant Bailey therefore is required to comply with Magistrate Judge Hluchaniuk's June 4 order and immediately respond to Plaintiff's discovery requests. With respect to Defendants Correctional Medical Services, Inc. ("CMS") and Judith Daoust, however, this Court concluded that Plaintiff's discovery requests should be stayed pending a decision on their motion to dismiss.

Accordingly,

IT IS ORDERED, that Plaintiff's motion to compel is **GRANTED IN PART AND DENIED IN PART** in that Defendant Bailey is ordered to comply with Magistrate Judge Hluchaniuk's June 4, 2009 opinion and order but Plaintiff's discovery requests directed at Defendant CMS and Daoust are stayed in accordance with this Court's September 1, 2009 decision.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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